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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,532	02/05/2004	Yingqing Lawrence Cui	08226/0200355-US0	5401

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EXAMINER	
KIM, WESLEY LEO	
ART UNIT	**PAPER NUMBER**
2617	

MAIL DATE	DELIVERY MODE
09/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/772,532	CUI ET AL.	
	Examiner	Art Unit	
	Wesley L. Kim	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 August 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/3/07 has been entered.

Response to Amendment

This Office Action is in response to Amendment filed 3/12/07.

- Claims 1-2, 6-7, 9, 16-17, 20, 22-26, 29, 31-32, 34-36 and 40 are currently amended.
- Claims 1-43 are pending in the current Office Action.

Response to Arguments

Applicant's arguments with respect to claims 1-43 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 16, 20-22, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia et al (U.S. Pub 2004/0131081 A1) in view of Infiesto (U.S. Patent 6453259 B1).

Regarding Claims 16 and 40, Bhatia teaches receiving a message from a first server at the mobile device (Par.96), wherein the message includes a message hook (Par.95;4-5, message ID and Par.96;6-10, number embedded in message, are both message hooks) to a second message (Par.95;4-5, message stored in the message store (Par.46;8-10)); and employing the message hook to access the second message (Par.95;4-5, message ID and Par.96;6-10), from a second server that is different from the first server (Par.46;8-10, is second server and Par.41;3-8, is first server), wherein the second server performs actions, comprising: formatting the first second message to be readable by a mobile browser (Par.57;19-22, messages are compressed and decompressed (i.e. retrieved) to be readable by a mobile browser); and sending the formatted first message from the second server towards the mobile browser (Par.41;8-12, user may retrieve message from the first server, so the message is sent to the mobile browser), however Bhatia **is silent on** the message hook having an executable program.

Infiesto teaches that it is well known that a message hook (i.e. URL) is associated with executable programs (Col.1;55-60), which to the examiner is synonymous to the message hook having an executable program.

To one of ordinary skill in the art, it would have been obvious to modify Bhatia with Infiesto such that the message hook has an executable program to provide a

method where the message hook having an executable program can be used to access information at a server.

Regarding Claim 20, Bhatia further teaches the message further comprises at least one of an SMS message (Par.96).

Regarding Claim 21, Bhatia further teaches the message hook further comprises a message index associated with the second message, wherein the message index is employable to locate the second message (Par.21, message ID number is message index).

Regarding Claim 22, Bhatia further teaches the second message further comprises at least one of an email message (Par.18).

2. Claims 1, 3, 5-6, 9-11, 14-15, 23-24, 26-27, 29-30, 32-34, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia et al (U.S. Pub 2004/0131081 A1) in view of Bern et al (U.S. Patent 6898422 B2) and Infiesto (U.S. Patent 6453259 B1).

Regarding Claims 1, 23, 29, and 34, Bhatia teaches a method of managing a communication with a mobile device over a network (Abstract), comprising: receiving a first message at a first server (Par.55;1-5, messaging server receives message and interacts with message store to store the message); sending a second message from the second server to the mobile device (Par.55;13-15), wherein the second message includes a message hook (Par.96, number embedded in message is hook); employing the message hook to access the first message at the first server (Par.46;8-10 and Par.96, message is retrieved from the first server by utilizing the

call back number); wherein the first and second servers are different servers (Par.46;8-10, is first server and Par.41;3-8, is second server); formatting the first message at the first server to be readable by a mobile browser (Par.57;19-22, messages are compressed and decompressed (i.e. retrieved) to be readable by a mobile browser); and sending the formatted first message from the first server towards the mobile browser (Par.41;8-12, user may retrieve message from the first server, so the message is sent to the mobile browser), however Bhatia **is silent on** receiving an alert at the second server indicating the first message is available for the mobile device and the message hook having an executable program.

Bern teaches that it is well known in the art that the concept of alerting a second server (Fig.1; NE is the second server and SMTP is the first server) of a received message is well known where the second server then sends an alert to a mobile station notifying the user of a received message (Col.6;66-Col.7;6). Bhatia teaches that a second server scans through a queue to determine if messages have been received and then alerts the user if there is a message that a user needs to be notified of (Par.55,10-17).

Infiesto teaches that it is well known that a message hook (i.e. URL) is associated with executable programs (Col.1;55-60), which to the examiner is synonymous to the message hook having an executable program.

To one of ordinary skill in the art it would have been obvious to modify Bhatia with Bern and Infiesto such that, the message hook has an executable program to provide a method where the message hook having an executable program can be

used to access information at a server and an alert is sent to the second server indicating the first message is available for the mobile device, to provide a method where the second server does not have to waste processing power by scanning for received messages especially when it is not definitely known whether a message has been received or not, in this way a second server will only utilize processing power when a notification is received from the first server as taught by Bern.

With further regards to Claims 23 and 29, the first server in claims 23 and 29 are the same as the second server in claim 1 and the second server in claims 23 and 29 are the same as the first server in claim 1.

With further regards to Claim 34, the mail transfer service is the same as the first server in claim 1 and the mobile messaging service is the same as the second server in claim 1.

Regarding Claim 3, Bhatia further teaches sending the second message further comprises: associating a message index with the first message; associating the message index with the second message; and sending the second message including the associated message index to the mobile device, wherein the message index is usable to locate the first message (Par.95;1-5 and Par.95;17-24, message ID is a message index).

Regarding Claim 5, Bhatia further teaches the first message is stored in a mail farm (Par.46;8-10, the message store is a mail farm).

Regarding Claim 6, Bhatia further teaches receiving the first message further comprises receiving at least one of a user account identifier (Par.95;1-3, user ID is an account identifier).

Regarding Claims 9, 26, and 32, Bhatia further teaches the second message further comprises at least one of an SMS message (Par.96).

Regarding Claims 10, 27, 33, and 37-38, Bhatia further teaches the second message further comprises a message index associated with the message, wherein the message index is employable to locate the message (Par.21, message ID number is message index).

Regarding Claim 11, Bhatia teaches receiving the alert further comprises: receiving the first message by a mail transfer service (Par.46; 8, messaging server); storing the first message at a mail farm (Par.46;8-10) by the mail transfer service ; and associating a universal message identifier with the location of the stored first message (Par.21 and Par.48, messages are indexed).

Regarding Claims 14-15, 24, and 30, Bhatia further teaches the first message is an email message (Par.18) and an attachment to the email message (Par.95, the unique ID is an attachment (i.e. location indicator) to the email message).

3. Claims 4 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia et al (U.S. Pub 2004/0131081 A1), Bern et al (U.S. Patent 6898422 B2), and Infiesto (U.S. Patent 6453259 B1) in further view of Archer (U.S. Patent 6,122,485).

Regarding Claim 4, Bhatia, Bern, and Infiesto teach all the elements of dependent claim 4, however the combination **is silent on** including wherein the message index with the first message further comprises employing a one way hash.

Archer teaches the message index with the first message further comprises employing a one way hash (Col.6;59-65).

To one of ordinary skill in the art, it would have been obvious to modify Bhatia and Bern with Archer, such that the message index with the first message further comprises employing a one way hash to provide a method where each message may be indexed so that that the message can quickly be located and delivered to a user upon request.

Regarding Claim 39, Bhatia, Bern, and Infiesto in further view of Archer teaches all the elements of dependent claim 34, and Archer teaches wherein retrieving the first message further comprises: determining a message index associated with the message hook (Archer, column 7, Page 13; lines 20 to 32) and a device identifier (Id.); employing the message index to access a universal message identifier (Bern, column 6, lines 62 to 66, job identifier), and employing the universal message identifier to retrieve the first message (Bern, column 6, line 62 to column 7, line 10).

One of ordinary skill in the art at the time the invention was made it would have been obvious to modify Bhatia, Bern, and Infiesto with Archer such that any number of elements could be indexed, such as the messages to each other, the job identifier taught in Bern, a mobile's MSISDN taught by Bern, etc. because the goal

with indexing as taught by Archer, is to simplify the identification and look-up of a given record (as in page confirmation) (Archer, column 3, lines 17 to 26).

4. Claims 2, 7-8, 17-19, 25, 28, 31, 35-36, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia et al (U.S. Pub 2004/0131081 A1), Bern et al (U.S. Patent 6898422 B2), and Infiesto (U.S. Patent 6453259 B1) in further view of Buckley (U.S. Pub 2003/0139193 A1).

Regarding Claims 7, 18, 25, 31, 36, and 43, Bhatia, Bern, and Infiesto teach all the limitations as recited in claims 1, 16, 23, 29, and 34, respectively, and Bhatia teaches that a message hook includes a phone number to access messages (i.e. voicemail) (Par.96), however the combination **is silent on** the message hook further comprises a Uniform Resource Locator (URL).

Buckley teaches that it is well known in the art that messages can be used to indicate an URL where messages are stored for retrieval at a later time (Par.29;12-17). Bhatia further teaches that messages stored in a mailbox can be of email types (Par.18) and to one of ordinary skill in the art it is obvious that emails will be retrieved by use of a URL as opposed to a phone number. In order to retrieve the emails via the URL, one of ordinary skill in the art would find it obvious to utilize an internet browser program.

To one of ordinary skill in the art, it would have been obvious to modify the teachings of Bhatia, Bern, and Infiesto with the teachings of Buckley, such that the message hook further comprises a Uniform Resource Locator (URL), to provide a

method of where email messages can be retrieved over the internet by a user of a mobile phone, at their convenience.

Regarding Claims 8 and 19, Bhatia further teaches of a message index associated with the second message along with the message hook (Par.96; 6-10, message ID associated with message hook).

Regarding Claim 2, 17, 28, and 35, Bhatia, Bern, and Infiesto teach all the limitations as recited in claims 1, 16, 23, and 34, respectively, however the combination **is silent on** the first message further comprising formatting the message using at least one of a handheld device markup language (HDML), Wireless Markup Language (WML) Script, and JavaScript.

Buckley teaches that it is well known in the art that messages can be used to indicate an URL where messages are stored for retrieval at a later time (Par.29;12-17) and Buckley further teaches formatting the first/second message further comprises formatting the message using at least one of a HDML, WMLscript, and Javascript. (Par.26 and Par.33, for example, if a wireless phone is originating or receiving the data message over the internet via URL, it is obvious that HTML, HDML, or WMLscript would have to be used to format the data message, where HTML, HDML, and WML are all scripts for displaying information on a computer screen, but HDML and WML are modified versions of HTML which allow displaying the information on small mobile phone displays).

To one of ordinary skill in the art, it would have been obvious at the time of the invention to modify Bhatia, Bern, and Infiesto with Buckley such that the first

message further comprises formatting the message using at least one of a handheld device markup language (HDML), Wireless Markup Language (WML) Script, and JavaScript, to provide a method where messages transmitted over the air (i.e. internet) can be viewed on the mobile stations small display.

5. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia et al (U.S. Pub 2004/0131081 A1), Bern et al (U.S. Patent 6898422 B2), and and Infiesto (U.S. Patent 6453259 B1) in further view of Corrigan et al (WO 03/030474 A2).

Regarding Claim 12, Bhatia, Bern, and Infiesto teach all the limitations as recited in claim 1, however the combination **is silent on** the limitations as recited in dependent claim 12.

Corrigan on the other hand does teach all of the additional steps, including logging into an account at a server through the mobile device (page 8, lines 24 to 27); fowarding a device identifier associated with the mobile device to the server (paRe 8, lines 24 to 27), this would be obvious in the HTTP GET message; receiving at the mobile device a confirmation URL from the server (page 8; lines 10 to 15); responding to the confirmation URL (page 8, lines 24 to 27); and if the mobile device is confirmed, registering the mobile device to receive the formatted first message (page 8, line29 to page 30, line 6).

To one of ordinary skill in the art, it would have been obvious at the time of the invention to modify Bhatia, Bern, and Infiesto with Corrigan, such that an account at the second server is logged into through the mobile device; forwarding a device

identifier associated with the mobile device to the second server; receiving at the mobile device a confirmation URL from the second server; responding to the confirmation URL; and if the mobile device is confirmed, registering the mobile device to receive the formatted first message, to provide a method of verifying that the message recipient is in fact the correct recipient (Corrigan, page 5; 15-25).

Regarding Claim 13, Corrigan further teaches registering the mobile device further comprises associating the device identifier with the account (Page.6; line 4).

6. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia et al (U.S. Pub 2004/0131081 A1), Bern et al (U.S. Patent 6898422 B2), and Infiesto (U.S. Patent 6453259 B1) in further view of Bachner, III et al (U.S. Pub 2005/0037787 A1).

Regarding Claim 42, Bhatia, Bern, and Infiesto teach all the limitations as recited in Claim 1, however the combination **is silent on** determining one of a plurality of servers to store the first message based at least in part on an end-user account identifier, a universal message identifier, or a device identifier.

Bachner teaches determining one of a plurality of servers (i.e. a portable server) to store a message based at least in part on an end-user account identifier (Par.407; the email address is the end-user account identifier) and Bhatia further teaches that it is known that messages are stored in servers based on an end-user account identifier (Par.95;3-5, message ID).

To one of ordinary skill in the art, it would have been obvious to modify Bhatia, Bern, and Infiesto with Bachner such that, one of a plurality of servers is

determined to store the first message based at least in part on an end-user account identifier, a universal message identifier, or a device identifier, to provide a method where the message is stored in locations where the users will experience the least amount of delays, difficulties, and problems of the wireless connection.

7. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia et al (U.S. Pub 2004/0131081 A1) and Infiesto (U.S. Patent 6453259 B1) in view of Buckley (U.S. Pub 2003/0139193 A1).

Regarding Claim 41, Bhatia and Infiesto teaches all the limitations as recited in claim 40, and Bhatia teaches that a message hook includes a phone number to access messages (i.e. voicemail) (Par.96), however the combination **is silent on** the message hook further comprises a Uniform Resource Locator (URL).

Buckley teaches that it is well known in the art that messages can be used to indicate an URL where messages are stored for retrieval at a later time (Par.29;12-17). Bhatia further teaches that messages stored in a mailbox can be of email types (Par.18) and to one of ordinary skill in the art it is obvious that emails will be retrieved by use of a URL as opposed to a phone number.

To one of ordinary skill in the art, it would have been obvious to modify the teachings of Bhatia and Infierno with the teachings of Buckley, such that the message hook further comprises a Uniform Resource Locator (URL), to provide a method of where email messages can be retrieved over the internet by a user of a mobile phone, at their convenience.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wesley L. Kim whose telephone number is 571-272-7867. The examiner can normally be reached on Monday-Friday 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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